

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 JOSE OCEGUEDO-GIL,

Case No. 2:18-cv-00756-APG-PAL

5 Petitioner,

ORDER

6 v.

7 STATE OF NEVADA, et al.,

8 Respondents.

9 Jose Oceguedo-Gil has apparently attempted to initiate a 28 U.S.C. § 2254 habeas corpus
10 petition (ECF No. 1-1). He has not used a court form nor has he submitted an application to
11 proceed *in forma pauperis* or paid the filing fee. See ECF No. 1. Accordingly, this matter has
12 not been properly commenced. 28 U.S.C. § 1915(a)(2), LSRs 1-1, 1-2, 3-1. This action,
13 therefore, shall be dismissed without prejudice to petitioner filing a habeas petition on the court's
14 form in a new action with a new case number along with an application to proceed *in forma*
15 *pauperis* or the \$5.00 filing fee.

16 IT IS THEREFORE ORDERED that the Clerk **shall detach and file** the petition (ECF
17 No. 1-1).

18 IT IS FURTHER ORDERED that the petition is **DISMISSED** without prejudice as set
19 forth in this order.

20 IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

21 IT IS FURTHER ORDERED that the Clerk **shall send** to petitioner one copy of this
22 court's inmate's application to proceed *in forma pauperis* form with information and
23 instructions, one copy of this court's form § 2254 habeas petition, one copy of the information
24 and instructions for filing a § 2254 habeas petition, and one copy of the papers petitioner has
25 filed in this action.

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IT IS FURTHER ORDERED that the Clerk shall enter judgment accordingly and close
this case.

DATED: 4 May 2018.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE